

AMENDMENT AND RESPONSE

Serial Number: 08/953:154

Filing Date: October 17, 1997

Title: MODULAR COMPUTER DEVICE AND COMPUTER KEYBOARD FOR MODULAR DEVICE

Page 3

Dkt: 450:154US1

By
Chen
a controller to display at least one changeable virtual key on the touch screen; and,
a connector operatively coupled to the controller; wherein the connector is capable of [to]
removably coupling [couple the device] to a computer peripheral in the docking mode.

REMARKS

Applicant has amended claims 1, 17, 20 and 24 to more particularly point out what Applicant considers the invention, and not in response to any art rejection.

Rejections Under 35 U.S.C. § 112

Claims 1, 11-17, 19, 20, 24 and 27 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant respectfully traverses the rejection. Applicant respectfully submits that each of the terms noted in paragraphs 4-7 of the Office Action have been introduced with an indefinite article before later reference in the claim thereby providing antecedent basis for the terms. Applicant intends to claim a keyboard capable of interfacing with the devices noted, and is using the terms to describe structure required to connect Applicant's invention to such devices. Applicant does not intend at this time to claim the devices themselves as an element of the claims (although Applicant reserves the right to do so in the future), rather the terms are used to particularly point out and distinctly claim what Applicant considers the invention. Therefore, the Examiner is respectfully requested to withdraw the rejection of claims 1, 11-17, 19, 20, 24 and 27.

Rejections Under 35 U.S.C. § 103

Claims 1-8, 10-22 and 24-28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Richardson et al (U.S. Patent No. 4,762,435) in view of Applicant's admitted prior art (page 1, lines 15-24 and page 2, lines 1-9). Applicant respectfully traverses the rejection, because Richardson in view of Applicant's admitted prior art does not teach or disclose each and every element of Applicant's claims and because there is no motivation to combine the references.

Applicant's independent claims 1, 17, 20, 22 and 24 contain the limitation of "a communications link disposed within the housing, wherein the communications link is capable of communicating with a computer" or similar limitations. The Office Action asserts that Richardson discloses such a communications link, further asserting that Richardson's element 10 is a computer. Applicant respectfully submits that the Office Action misinterprets Richardson's element 10. Richardson's element 10 is in fact a lettering device, not a computer as in Applicant's claims. Applicant has thoroughly and carefully reviewed Richardson, and can find no reference to a computer or computer equivalent (i.e. a processor, arithmetic logic unit, etc.). As a result, Richardson cannot and does not teach or suggest a communications link capable of communicating with a computer, and the Examiner is respectfully requested to withdraw the rejection.

Furthermore, there is no motivation to combine the references. There is no teaching or suggestion in Richardson of the desirability of adding any of the devices discussed in Applicant's specification to Richardson's lettering apparatus. As discussed above, the lettering device in Richardson does not contain a computer of any sort, therefore there is nothing in the lettering apparatus for the device to communicate with. For example, there is no utility in having a telephone handset, a television remote control, or a PDA coupled to the electrical interface of Richardson's lettering apparatus. Thus there is no motivation to combine the references, and the Examiner is respectfully requested to withdraw the rejection of claims 1-8, 10-22 and 24-28.

Claims 2-8, 10-11, and 13-16 depend from claim 1, claim 18 depends from claim 17, claim 21 depends from claim 20, and claims 25-28 depend from claim 24. It is respectfully submitted that the dependent claims are non-obvious for the same reasons as noted above with respect to their corresponding base claims (*In re Fine*; 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir.

AMENDMENT AND RESPONSE

Serial Number: 08/953,154

Filing Date: October 17, 1997

Title: MODULAR COMPUTER DEVICE AND COMPUTER KEYBOARD FOR MODULAR DEVICE

Page 5

Dkt: 450.154US1

1988)). Therefore, the Examiner is respectfully requested to withdraw the rejection of claims 2-8, 10-11, 13-16, 18, 21, and 25-28.

In addition, independent claim 24 contains the limitation of "a controller to display at least one changeable virtual key on the touch screen." Applicant has reviewed the references cited in the Office Action, and can find no teaching or disclosure of such a controller. The Office Action appears to take Official Notice that a PDA has a controller to display a changeable virtual key on the touch screen. Applicant respectfully objects to the taking of Official Notice and, pursuant to MPEP § 2144.03, Applicant respectfully traverses the assertion of Official Notice and requests that the Examiner cite patents and/or references in support of this position.

Claims 9 and 23 were rejected under 35 USC § 103(a) as being unpatentable over the combination of Richardson et al (U.S. Patent No. 4,762,435) in view of Applicant's admitted prior art (page 1, lines 15-24 and page 2, lines 1-9) as applied to claims 1 and 23 above, and further in view of Viletto (U.S. Patent No. 5,475,626). As discussed above, claims 9 and 23 inherit the limitation present in their respective base claims of "a communications link disposed within the housing, wherein the communications link is capable of communicating with a computer." Because neither Richardson nor Viletto teach or disclose such a limitation, the Office Action fails to present a prima-facie case of obviousness. Therefore the Examiner is respectfully requested to withdraw the rejection of claims 9 and 23.

AMENDMENT AND RESPONSE

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Title: MODULAR COMPUTER DEVICE AND COMPUTER KEYBOARD FOR MODULAR DEVICE

Page 6

Dkt: 450.154US1

CONCLUSION

Applicants believe the claims are in condition for allowance and request reconsideration of the application and allowance of the claims. The Examiner is invited to telephone the below-signed attorney at 612-373-6954 to discuss any questions which may remain with respect to the present application.

Respectfully submitted,

KEITH A. KOZAK ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

P.O. Box 2938

Minneapolis, MN 55402

(612) 373-6954

Date August 16, 1999 By Rodney L. Lacy
Rodney L. Lacy
Reg. No. 41,136

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner of Patents, Washington, D.C. 20231 on August 16, 1999.

Rodney L. Lacy
Name

Rodney L. Lacy
Signature